

REMARKS/ARGUMENTS

Claims 2 and 6-53 are active in the case.

Claims 1 and 3-5 have been canceled and rewritten as new independent Claims 26 and 27. Claims 2, 6, 7, and 9-13 have been amended to depend on new Claim 26. New Claims 28-45, 52 and 53 have been added to contain the same limitations as Claims 2 and 6-25, but depend on new independent Claim 27. New Claims 46-51 have been added to preferred embodiments. Basis for these claims may be found on page 9, line 29 through page 10, line 3 of the specification. No new matter has been added into the amended claims or new claims.

The rejection of Claims 1-5 under 35 U.S.C. § 102(b) as anticipated by Fujisaki et al is traversed.

New Claims 26 and 27 now recite a dielectric layer which is a mixture of mainly barium titanate with one or more oxides selected from the group consisting of manganese oxide, magnesium oxide, tungsten oxide, calcium oxide, zirconium oxide, niobium oxide and cobalt oxide, recited in Claim 26. The dielectric layer in new Claim 27 is a mixture mainly of barium titanate with the oxides of one or more elements selected from the group consisting of rare earth elements Sc, Y, La, Ce, Pr, Nd, Pm, Sm, Eu, Gd, Tb, Dy, Ho, Er, Tm, Yb and Lu. Fujisaki et al at best discloses in column 3, lines 38-42 a ceramic composition mainly comprising  $MTiO_3$ -based ceramics in which M represents one or several of Ba, Ca, Mg, La, Sr and Nd. The complex ceramic compound of Fujisaki et al is different from a simple mixture of barium titanate and other oxide materials as in the present claims.

Further, it is clear from the disclosure in column 29, line 64 to column 30, line 5 of Fujisaki et al and Tables 4 and 6 that there is no disclosure of a dielectric layer containing a mixture of barium titanate as its main component and other oxide(s) as an auxiliary component. As shown and discussed in the above-mentioned places in Fujisaki et al the

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dielectric layer 4 containing barium titanate as its main component and the dielectric layer 4' containing a different dielectric ceramic for temperature compensation as the main component are independently formed in separate layers and a composition containing a mixture of barium titanate with another oxide is not disclosed or suggested in the above-mentioned sections of Fujisaki et al or in any other disclosure of Fujisaki et al. Therefore, it is submitted that the claims are not anticipated by and distinguish over Fujisaki et al.

The rejection of Claims 1-3, 6-14 and 21-25 under 35 U.S.C. §103(a) as unpatentable over Nunomura et al in view of Fujisaki et al is traversed.

Nunomura et al does not cure the defects of Fujisaki et al, because Nunomura et al does not teach or suggest a composite substrate having a coefficient of thermal expansion of 10 to 20 ppm/K and which has a dielectric layer of a mixture mainly of barium titanate with the particular oxides of new Claims 26 and 27. The claims distinguish over the combination of references.

The rejection of Claims 1, 7, 14-16 and 20 under 35 U.S.C. §103(a) as unpatentable over Nunomura et al in view of Fujisaki et al, and further in view of Arai et al is traversed.

Arai et al does not remedy the defects of Nunomura et al and Fujisaki et al, since Arai et al is cited only for the showing that a second electrode can be tin-doped indium oxide (ITO) with a particular proportion of tin oxide. Arai et al does not teach or suggest the substrate of the present claims. The claims distinguish over the combination of references.

The rejection of Claims 1, 4, 14 and 17-19 under 35 U.S.C. §103(a) as unpatentable over Nunomura et al in view of Fujisaki et al, and further in view of Chung is traversed.

Chung does not remedy the defects of Nunomura et al and Fujisaki et al, since Chung is cited only for the showing that a second electrode can be an amorphous or polycrystalline

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silicon that has been doped to impart conductivity. Chung does not teach or suggest the substrate of the present claims. The claims distinguish over the combination of references.

It is submitted that Claims 2 and 6-53 are allowable and such action is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Norman F. Oblon  
Attorney of Record  
Registration No.: 24,618

Customer Number

22850

Tel: (703) 413-3000  
Fax: (703) 413 -2220

Roland E. Martin  
Registration No.: 48,082